

### **REMARKS/ARGUMENTS**

Favorable reconsideration of this application is respectfully requested.

Claims 1-9 and 17-30 are currently pending in the application. Claims 1, 9, 21 and 26 have been amended to better reflect exemplary flexible member sheet 46 shown by Figs 6-7 and described at page 37, line 20 to page 38, line 15. Clearly, no new matter has been introduced. Non-elected Claims 10-16 were previously canceled without prejudice or disclaimer.

The outstanding Office Action presents a rejection of Claims 1 and 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Endo et al. (U.S. Patent No. 6,640,080, Endo) in view of Tsukahara (Japanese Publication No. 58-126566), a rejection of Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Endo in view of Tsukahara in further view of Shakuto et al (U.S. Patent No. 6,799,012, Shakuto), and a rejection of Claims 7, 9, and 26-30 under 35 U.S.C. § 103(a) as being unpatentable over Endo in view of Tsukahara in further view of Nishimura (U.S. Pat. Application Publication No. 2002/0141771).

Initially, Applicants express gratitude to the Examiner for the indication that Claims 3-6 and 17-20 have been allowed.

Turning to the rejection of Claims 1 and 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Endo in view of Tsukahara, it is believed that the amendments made to base independent Claims 1 and 21 clearly overcome this rejection as neither Endo nor Tsukahara present any teaching or reasonable suggestion of all of the subject matter of independent base Claim 1 or independent base Claim 21 of this group of rejected claims. Thus, even if the outstanding Action actually presented evidence of motivation to combine the teachings of these references, which is not the case as discussed more fully below, the combined teachings and reasonable suggestions from these references still could not establish

a valid *prima facie* case of obviousness as to the subject matter of independent base Claim 1 or independent base Claim 21 of this group of rejected claims.

In this last regard, it is noted that, for example, both independent base Claim 1 and independent base Claim 21 of this group of rejected claims recite that the “flexible member” must be “affixed at one edge portion” and have “a flat surface including a grooved portion having a plurality of grooves.” These claims further require that this flat surface must also extend “from the affixed one edge portion to a free edge portion.”

To whatever extent that Endo teaches flexible member 23 as being upstream of the cleaning means and affixed at one edge portion, Endo further requires this flat board-shaped blade comprised of an elastic body to be disposed so that the “leading edge” of this cleaning blade “contacts the surface of the photoreceptor.” See lines 5-8 of the Abstract and note the relationship between the bent member 23 leading edge “P” and point “O” illustrated in FIG. 2. This relationship (and its criticality to the problem addressed by Endo) is set forth at col. 3, line 64-col. 4, line 20. Also note the description of FIG. 2 at col. 11, line 56-col.12, line 65. Clearly, the stringent requirements stated by Endo as to the front free edge position “P” contact between blade 23 and drum 10 would not suggest modifying member 23 as required by base independent Claims 1 and 21 so that the contact is no longer a front free edge contact but one associated with a surface extending from the rear edge of 23 to the front edge.

Just as Endo requires the front free edge of member 23 to contact drum 10, the teaching of Tsukahara are also clearly directed to contact between blade 5 free end front portion 6 and photoreceptor 1 illustrated as a drum. Thus, neither reference teaches the claimed contact between a photoreceptor surface and a flexible member surface extending from a rear fixed edge of the flexible member to its free front edge

In addition, it is noted that the outstanding Action fails to present the required explanation of why the artisan would even consider attempting to modify the clearly

dissimilar blade-photoreceptor arrangement of Endo having the above-noted stringent requirements as to the front free edge position “P” engagement between blade 23 and photoreceptor drum 10 by the clearly dissimilar blade face and blade orientation taught by Tsukahara. *See In re Lee*, 277 F.3d 1338, 1343, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002) and the requirement there for the PTO to “explain the reasons one of ordinary skill would have been motivated to select the references and to combine them to render the claimed invention obvious” as well as the requirement for a “full and reasoned explanation” at 277 F.3d 1342, 61 USPQ2d 1432-33.

Also, it is well established that a modification like the one proposed in the outstanding Action cannot be considered to be one with properly established motivation as changing the Endo front free edge position “P” engagement between blade 23 and photoreceptor drum 10 to a front face engagement as taught by Tsukahara clearly also requires the adoption of the nearly orthogonal arrangement of the blade and photoreceptor taught by Tsukahara that would destroy the basic operating principle of Endo and render Endo unsatisfactory for its intended purpose. Such proposed modifications that would change the basic operating principle of a reference (*see In re Ratti*, 123 USPQ 349, 352 (CCPA 1959)) or that would render the reference unsatisfactory for its intended purpose (*see In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984)) are clearly not modifications that can be said to be reasonably taught or suggested by the prior art.

Turning to dependent Claims 22-25, it is clear that these dependent claims define patentably over the reasonable teachings and suggestions of Endo taken alone or in any proper combination with Tsukahara for all the reasons noted above as to base Claim 21 from which each of these claims depends. In addition, as these references also fail to render the features added by these claims obvious, dependent Claims 22-25 further define patentably over Endo in view of Tsukahara for this reason as well.

With further regard to the rejection of Claim 2 (as being unpatentable over Endo in view of Tsukahara in further view of Shakuto) and the rejection of Claims 7, 9, and 26-30 (as being unpatentable over Endo in view of Tsukahara in further view of Nishimura), it is first noted that Claims 2 and 7 depend from Claim 1 while independent base Claims 9 and 26 are similar to independent base Claims 1 and 21 in terms of reciting that the “flexible member” must be “affixed at one edge portion” and have “a flat surface including a grooved portion having a plurality of grooves,” with this flat surface also extending “from the affixed one edge portion to a free edge portion.” Claims 27 -30 depend from independent base Claim 26.

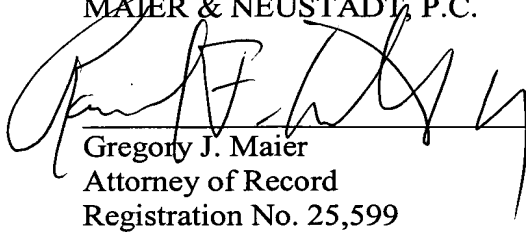
As neither Shakuto nor Nishimura, considered alone or in combination with each other or in combination with Endo and Tsukahara, cure the above-noted deficiencies of Endo and Tsukahara, these rejections of independent base Claims 9 and 26 and dependent Claims 2, 7, and 27-30 are traversed for all of the above noted reasons. In addition, each of Claims 2, 7, 9, and 26-30 are believed to add further features not taught or suggested by Shakuto and/or Nishimura, considered alone or in combination with each other or in combination with Endo and Tsukahara, such that these rejections are traversed for this reason as well.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-9 and 17-30 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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